

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 3/1/2021

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ABEL GONZALEZ GONZALEZ and
OLMAN ELISEO VELASQUEZ FUENTES,
*individually and on behalf of others similarly
situated,*

Plaintiffs,

AFFIDAVIT

20-cv-04568-VEC

-against-

TREADWELL PARK LLC (D/B/A
TREADWELL PARK), 301 SOUTH LLC
(D/B/A TREADWELL PARK), CAMGT 510
W42 RESTAURANT OPERATING LLC
(D/B/A TREADWELL PARK), 1125 FIRST
LLC (D/B/A SUGAR EAST), 245 PARK
LLC (D/B/A OAXACA MEXICAN GRILL),
ABRAHAM MERCHANT, ANDREW
(A.K.A. ANDY) EMMET, and FERNANDO
RODRIGUEZ,

Defendants.

-----X
STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

GENNADIY NAYDENSKIY, being duly sworn, deposes and says:

1. I am an attorney duly admitted to practice before this Court.
2. I am submitting this Affidavit in response to this Court's February 18, 2021 Order directing me to show cause why I should not be sanctioned for attempting to mislead this Court. Separately, this Court's February 18th Order directed me to include in my response a detailed chronology of my work on this case after Defendants' counsel informed me on November 3, 2020, that arbitration proceedings had been initiated in the wrong tribunal. I address these issues below.

3. At the outset, I want to apologize to this Court for my failure to diligently comply with the Court's February 10, 2021 order to provide an affidavit with supporting exhibits providing the chronology of the firm's efforts to initiate arbitration proceedings before the correct tribunal. I was improperly focused on defending the motion to dismiss this case, and I had neglected to respond to this Court's requirement that I provide a detailed affidavit. I apologize for my error.

4. Briefly, before addressing the issues underlying my representation of the Plaintiffs, I think it is important to briefly discuss my personal and professional background, which reflects a deep respect for the litigation process. Following my graduation from law school at SUNY Buffalo in 2013, I worked on plaintiff-side employment law cases at Harrison, Harrison & Associates until late-2014, at which time I opened a solo law practice where I continued performing similar work. Thereafter, in August of 2018, I joined Michael Faillace & Associates, P.C., where I continue to be employed today. Over the years, I have represented hundreds of plaintiffs in employment law cases. I have never been the subject of professional discipline. I am married and have two young children, and I assure this Court that I would not jeopardize my career and my ability to earn a living by intentionally misleading this Court.

5. Pursuant to this Court's Order, the following is a detailed chronology of my work on this case since November 3, 2020:

- a. On November 3, 2020, a paralegal at the firm, Brenda Tapia, at my direction, filed to arbitrate this case before the American Arbitration Association ("AAA"). To the best of my recollection, I had previously reviewed the arbitration agreement but, in instructing my paralegal to file the necessary documents, I mistakenly told her to file in the wrong forum. I apologize for this unintentional error.
- b. On November 5, 2020, I drafted a joint status update letter to this Court. At 4:02 p.m., on November 5th, I sent a copy of the joint letter to defense counsel and asked if it was "Ok to file?" (A copy

of the e-mail chain is attached hereto as “Exhibit A.”) Defense counsel responded at 4:12 p.m., stating that, because he had not seen the arbitration which had been filed, he could not jointly say that it had been filed. (A copy of the e-mail chain is attached hereto as “Exhibit B.”) In response, at 5:21 p.m., I e-mailed copies of the AAA filing receipts to defense counsel and again asked if the status update letter was “ok to file” and whether defense counsel would accept service on behalf of the Defendants. (A copy of the e-mail is attached hereto as “Exhibit C.”)

- c. Five minutes later, at 5:26 p.m., defense counsel responded by e-mail advising me that I had filed the arbitration in the wrong forum. (A copy of the e-mail is attached hereto as “Exhibit D.”) I responded at 5:48 p.m., stating: “I’ll check. In the meantime, ok to file the letter? I don’t want to upset the judge.” (A copy of the e-mail is attached hereto as “Exhibit E.”) Defense counsel responded at 6:07 p.m., stating: “Please remove reference to a joint letter. You can tell the court whatever you want on your own.” (A copy of the e-mail is attached hereto as “Exhibit F.”) I subsequently removed the reference to a joint letter and filed the status update letter. The status update letter stated: “We write to advise Your Honor that Plaintiffs filed their arbitration cases on November 3, 2020.” I now understand that my letter should have also indicated that defense counsel had advised me that the arbitration was filed in the wrong forum.
- d. At that point, I had previously reviewed the arbitration agreement, but did not recall all of its provisions and, because of the press of other work challenges, I did not, as I should have, immediately turned my attention to the agreement to understand its exact language. I recognize that is something I most certainly should have done, particularly in light of defense counsel’s admonition to me that I had filed in the wrong forum. I offer my humble apologies for my conduct in this regard. I had not intended to mislead the Court; rather, at that point, I was overwhelmed with work; had not paid the necessary attention to this case; and because I was not sure that the case was filed in the wrong forum, I did not advise the Court of defense counsel’s position. I make no excuse for my conduct. I understand that I should have acted more diligently in reviewing the arbitration agreement and that I should have been more involved in the process of filing the arbitration. I assure this Court that I will be vigilant in the future to prevent this type of error.
- e. On December 2, 2020, I belatedly (and, concededly, much too late) reviewed the arbitration agreement and realized, for the first time, that the arbitrations had, in fact, been filed in the wrong forum. I

understand that I should have recognized this error sooner and, again, I make no excuse for this error. Only by way of explanation, I was overwhelmed with work and I did not give the level of attention to this case which every case deserves. I regret not having carefully reviewed the arbitration agreement prior to filing of the November 5th status update letter – but, to be clear, I did *not*, at that time, know that the arbitration had been filed in the wrong forum. Moreover, I now recognize, having discussed this matter with my firm’s outside ethics counsel, that I should have under these circumstances corrected my November 5th status update letter inasmuch as it did not accurately reflect the actual status of the case.

- f. On December 3, 2020, I advised my paralegal, Brenda Tapia, that the arbitrations had been filed in the wrong forum and directed her to fill out the appropriate forum’s applications. (A copy of the e-mail is attached hereto as “Exhibit G.”) Additionally, I discussed with Ms. Tapia issues related to the filing of arbitrations in the correct forum.
- g. On January 29, 2021, I asked Ms. Tapia if the arbitrations were filed. (Exhibit G) Subsequently, I participated in a telephone call with my paralegal and an employee of ADR Systems regarding several logistical questions. Ms. Tapia also sent an e-mail to ADR Systems with respect to a question about the form for the statement of claim. (A copy of the e-mail is attached hereto as “Exhibit H.”)
- h. On February 4, 2021, Ms. Tapia sent me the draft demand for one of the two Plaintiffs, Abel Gonzalez, for my review. I discussed the case with Ms. Tapia later that same day. Additionally, on February 4, 2021, Ms. Tapia asked our firm’s office manager to issue the payment for initiating the arbitrations with ADR Systems. (A copy of the e-mail is attached hereto as “Exhibit I.”)
- i. On February 10, 2021, I followed-up with Ms. Tapia to determine whether the arbitrations had been filed in the correct forum. (A copy of the e-mail is attached hereto as “Exhibit J.”)
- j. On February 11, 2021, Ms. Tapia responded to my February 10th e-mail and advised me that the arbitrations had not yet been filed and that the office manager had not yet responded to her request to issue payment for the arbitrations. (A copy of the e-mail is attached hereto as “Exhibit K.”)
- k. On February 16, 2021, I reviewed and edited the complaints and damages estimates. That same day, the firm issued checks for the

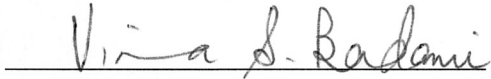
arbitration. (A copy of the e-mail concerning the checks is attached hereto as "Exhibit L.")

1. On February 17, 2021, the arbitration packet was mailed to ADR Systems. (A copy of the shipping label receipt is attached hereto as "Exhibit M.")
- m. On February 23, 2021, ADR Systems confirmed receipt and issued case numbers. (A copy of the e-mail confirmation is attached hereto as "Exhibit N.")
6. I, again, apologize for my conduct in this case.

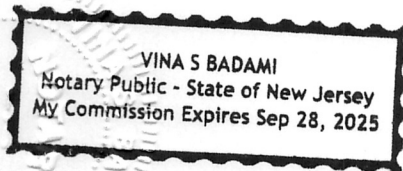
Dated: New York, New York
February 26, 2021


GENNADIY NAYDENSKIY

Subscribed to and sworn to before me this 26th day of February 2021


Vina S. Badami

Notary Public



The Court will not impose sanctions at this time, but the Court warns counsel that similar misrepresentations or failures to follow Court orders in the future will likely result in sanctions.

SO ORDERED.



HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE

3/1/2021

EXHIBIT A

From: Gennadiy Naydenskiy <gnaydenskiy@faillacelaw.com>
Sent: Thursday, November 5, 2020 4:02 PM
To: 'Jamie Felsen'
Cc: 'Matthew Brown'
Subject: RE: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC
Attachments: ltr 11.5.20.pdf

Hi Jamie,

I hope you are well. See attached. Ok to file?

Best regards,

Gennadiy Naydenskiy, Esq.
MICHAEL FAILLACE & ASSOCIATES, P.C.
60 East 42nd Street, Suite 4510
New York, NY 10165
212-317-1200 (office)
212-317-1620 (fax)
<https://www.faillacelaw.com/>

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-----Original Message-----

From: Jamie Felsen <jamiefelsen@mlaborlaw.com>
Sent: Tuesday, August 4, 2020 7:57 AM
To: Gennadiy Naydenskiy <gnaydenskiy@faillacelaw.com>
Cc: Matthew Brown <Matt@mlaborlaw.com>
Subject: Re: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC

Yes.

> On Aug 4, 2020, at 4:00 AM, Gennadiy Naydenskiy <gnaydenskiy@faillacelaw.com> wrote:

>

> Hi Jamie,

>

> See attached,

>

> Ok to file?

>

> -----Original Message-----

> From: Jamie Felsen <jamiefelsen@mlaborlaw.com>

> Sent: Monday, August 3, 2020 2:06 PM

> To: Gennadiy Naydenskiy <gnaydenskiy@faillacelaw.com>

> Cc: Brenda Tapia <brenda@faillacelaw.com>; Michael Faillace <michael@faillacelaw.com>; Matthew Brown <Matt@mllaborlaw.com>

> Subject: Re: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC

>

> Yes please.

>

>> On Aug 3, 2020, at 10:34 AM, Gennadiy Naydenskiy <gnaydenskiy@faillacelaw.com> wrote:

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>> Hi Jamie,

>>

>> We are willing to stay the matter for arbitration. Should I draft a stip accordingly?

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>> -----Original Message-----

>> From: Jamie Felsen <jamiefelsen@mllaborlaw.com>

>> Sent: Friday, July 10, 2020 8:06 AM

>> To: Gennadiy Naydenskiy <gnaydenskiy@faillacelaw.com>

>> Cc: Brenda Tapia <brenda@faillacelaw.com>; Michael Faillace <michael@faillacelaw.com>; Matthew Brown <Matt@mllaborlaw.com>

>> Subject: RE: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC

>>

>> Gennaidy,

>>

>> I believe the date by which some of the defendants must respond to the Complaint is Monday, July 13. Pursuant to Judge Caproni's rules, please let me know today if you consent to a 45 day extension of time so that we will have time upon the expiration of the 21 days under FRCP Rule 11 to file a motion to dismiss based on the arbitration agreements.

>>

>> _____

>> Jamie S. Felsen - Partner

>> Milman Labuda Law Group PLLC

>> 3000 Marcus Ave., Suite 3W8

>> Lake Success, NY 11042

>> Telephone (516) 328-8899

>> Fax (516) 328-0082

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>>

>> From: Jamie Felsen

>> Sent: Thursday, July 9, 2020 6:03 PM

>> To: Gennadiy Naydenskiy <gnaydenskiy@faillacelaw.com>

>> Cc: Brenda Tapia <brenda@faillacelaw.com>; Michael Faillace <michael@faillacelaw.com>; Matthew Brown <Matt@mllaborlaw.com>

>> Subject: RE: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC

>>

>> Please see attached correspondence.

>>

>> _____

>> Jamie S. Felsen - Partner

>> Milman Labuda Law Group PLLC

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>>
>> From: Jamie Felsen
>> Sent: Thursday, July 9, 2020 5:05 PM
>> To: 'Gennadiy Naydenskiy' <mailto:gnaydenskiy@faillacelaw.com>
>> Cc: 'Brenda Tapia' <mailto:brenda@faillacelaw.com>; 'Michael Faillace' <mailto:michael@faillacelaw.com>; Matthew Brown <mailto:Matt@mllaborlaw.com>
>> Subject: RE: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC

>>
>> Gennadiy/Michael,
>>
>> On March 26, 2020, I sent you the attached arbitration agreements for Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes. Nevertheless, you recently commenced an action in SDNY. If you do not immediately withdraw the SDNY action, we will move to dismiss the action and seek attorneys' fees related to the motion.

>>
>> _____
>> Jamie S. Felsen - Partner
>> Milman Labuda Law Group PLLC
>> 3000 Marcus Ave., Suite 3W8
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>>
>> From: Jamie Felsen
>> Sent: Thursday, March 26, 2020 11:28 AM
>> To: Gennadiy Naydenskiy <mailto:gnaydenskiy@faillacelaw.com>
>> Cc: Brenda Tapia <mailto:brenda@faillacelaw.com>; Michael Faillace <mailto:michael@faillacelaw.com>
>> Subject: RE: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC

>>
>> Gennadiy,
>>
>> See attached arbitration agreements. If you will wait for us to get the wage and hour records and get info so that we can respond to your allegations before you decide if you want to file for arbitration, my client will enter into a tolling agreement.

>>
>> _____
>> Jamie S. Felsen - Partner

>> Milman Labuda Law Group PLLC
>> 3000 Marcus Ave., Suite 3W8
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>>
>> From: Michael Faillace <mailto:michael@faillacelaw.com>
>> Sent: Thursday, March 26, 2020 10:36 AM
>> To: Jamie Felsen <mailto:jamiefelsen@mllaborlaw.com>
>> Cc: Gennadiy Naydenskiy <mailto:gnaydenskiy@faillacelaw.com>; Brenda Tapia <mailto:brenda@faillacelaw.com>
>> Subject: RE: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC
>>

>> Hello Jamie,
>> Please send us the arbitration agreements so that we can file for individual arbitrations. Please send all your communications and documents to Gennadiy nadjinski, the attorney in my office who is handling this case. Please copy me on all communications.

>> From: Jamie Felsen <mailto:jamiefelsen@mllaborlaw.com>
>> Sent: Thursday, March 26, 2020 10:05 AM
>> To: Michael Faillace <mailto:michael@faillacelaw.com>
>> Subject: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC
>>

>> Michael,
>>

>> I hope you are healthy during this crazy time. I represent Treadwell Park LLC in the above-referenced matter. Your clients are bound by arbitration agreements that require all disputes to be arbitrated at ADR Systems of America LLC. We are working on getting wage and hour records but this process will be delayed since the restaurant is presently closed due to COVID-19. Once I have the records and additional information, I will reach out to you to discuss.

>>
>> _____
>> Jamie S. Felsen - Partner
>> Milman Labuda Law Group PLLC
>> 3000 Marcus Ave., Suite 3W8
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>>
> <letter stay.pdf>

Michael Faillace & Associates, P.C.

Employment and Litigation Attorneys

60 East 42nd Street, Suite 4510
New York, New York 10165

Telephone: (212) 317-1200
Facsimile: (212) 317-1620

gnaydenskiy@faillacelaw.com

November 5, 2020

Via ECF

Honorable Valerie E. Caproni
United States Courthouse
40 Foley Square,
New York, NY 10007

Re: Gonzalez et al v. Treadwell Park LLC et al
20-cv-4568-VEC

Your Honor:

We represent the Plaintiffs in the above titled matter. We write, jointly with Defendants, to advise Your Honor that Plaintiffs filed their arbitration on November 3, 2020.

We thank the Court for its time and attention to this matter.

Respectfully Submitted,

/s/ Gennadiy Naydenskiy
Gennadiy Naydenskiy

EXHIBIT B

From: Jamie Felsen <jamiefelsen@mlaborlaw.com>
Sent: Thursday, November 5, 2020 4:12 PM
To: Gennadiy Naydenskiy
Cc: Matthew Brown
Subject: RE: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC

I haven't seen the arbitration that you filed so I can't jointly say that you filed it.

Jamie S. Felsen - Partner
Milman Labuda Law Group PLLC
3000 Marcus Ave., Suite 3W8
Lake Success, NY 11042
Telephone (516) 328-8899
Fax (516) 328-0082

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From: Gennadiy Naydenskiy <gnaydenskiy@faillacelaw.com>
Sent: Thursday, November 5, 2020 4:02 PM
To: Jamie Felsen <jamiefelsen@mlaborlaw.com>
Cc: Matthew Brown <Matt@mlaborlaw.com>
Subject: RE: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC

Hi Jamie,

I hope you are well. See attached. Ok to file?

Best regards,

Gennadiy Naydenskiy, Esq.
MICHAEL FAILLACE & ASSOCIATES, P.C.
60 East 42nd Street, Suite 4510
New York, NY 10165
212-317-1200 (office)
212-317-1620 (fax)
<https://www.faillacelaw.com/>

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Cc: Matthew Brown <Matt@mllaborlaw.com>

Subject: Re: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC

Yes.

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> Cc: Brenda Tapia <brenda@faillacelaw.com>; Michael Faillace <michael@faillacelaw.com>; Matthew Brown <Matt@mllaborlaw.com>

> Subject: Re: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC

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> Yes please.

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>> Please see attached correspondence.

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>> Milman Labuda Law Group PLLC

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>>

>> From: Michael Faillace <mailto:michael@faillacelaw.com>

>> Sent: Thursday, March 26, 2020 10:36 AM

>> To: Jamie Felsen <mailto:jamiefelsen@mlaborlaw.com>

>> Cc: Gennadiy Naydenskiy <mailto:gnaydenskiy@faillacelaw.com>; Brenda Tapia <mailto:brenda@faillacelaw.com>

>> Subject: RE: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC

>>

>> Hello Jamie,

>> Please send us the arbitration agreements so that we can file for individual arbitrations. Please send all your communications and documents to Gennadiy nadjinski, the attorney in my office who is handling this case. Please copy me on all communications.

>> From: Jamie Felsen <mailto:jamiefelsen@mlaborlaw.com>

>> Sent: Thursday, March 26, 2020 10:05 AM

>> To: Michael Faillace <mailto:michael@faillacelaw.com>

>> Subject: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC

>>

>> Michael,

>>

>> I hope you are healthy during this crazy time. I represent Treadwell Park LLC in the above-referenced matter. Your clients are bound by arbitration agreements that require all disputes to be arbitrated at ADR Systems of America LLC.

We are working on getting wage and hour records but this process will be delayed since the restaurant is presently closed due to COVID-19. Once I have the records and additional information, I will reach out to you to discuss.

>>

>> _____

>> Jamie S. Felsen - Partner

>> Milman Labuda Law Group PLLC

>> 3000 Marcus Ave., Suite 3W8

>> Lake Success, NY 11042

>> Telephone (516) 328-8899

>> Fax (516) 328-0082

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>>

> <letter stay.pdf>

EXHIBIT C

From: Gennadiy Naydenskiy <gnaydenskiy@faillacelaw.com>
Sent: Thursday, November 5, 2020 5:21 PM
To: 'Jamie Felsen'
Cc: 'Matthew Brown'
Subject: RE: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC
Attachments: ltr 11.5.20 revised.pdf; Simple File Receipt - Abel Gonzalez.pdf; Simple File Receipt - Olman Eliseo Velasquez Fuentes.pdf

See attached, ok to file the letter?

Will you accept service for the Defendants?

Best regards,

Gennadiy Naydenskiy, Esq.
MICHAEL FAILLACE & ASSOCIATES, P.C.
60 East 42nd Street, Suite 4510
New York, NY 10165
212-317-1200 (office)
212-317-1620 (fax)
<https://www.faillacelaw.com/>

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-----Original Message-----

From: Jamie Felsen <jamiefelsen@mlaborlaw.com>
Sent: Thursday, November 5, 2020 4:12 PM
To: Gennadiy Naydenskiy <gnaydenskiy@faillacelaw.com>
Cc: Matthew Brown <Matt@mlaborlaw.com>
Subject: RE: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC

I haven't seen the arbitration that you filed so I can't jointly say that you filed it.

Jamie S. Felsen - Partner
Milman Labuda Law Group PLLC
3000 Marcus Ave., Suite 3W8
Lake Success, NY 11042
Telephone (516) 328-8899
Fax (516) 328-0082

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From: Gennadiy Naydenskiy <gnaydenskiy@faillacelaw.com>
Sent: Thursday, November 5, 2020 4:02 PM
To: Jamie Felsen <jamiefelsen@mlaborlaw.com>
Cc: Matthew Brown <Matt@mlaborlaw.com>
Subject: RE: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC

Hi Jamie,

I hope you are well. See attached. Ok to file?

Best regards,

Gennadiy Naydenskiy, Esq.
MICHAEL FAILLACE & ASSOCIATES, P.C.
60 East 42nd Street, Suite 4510
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Sent: Tuesday, August 4, 2020 7:57 AM
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Cc: Matthew Brown <Matt@mlaborlaw.com>
Subject: Re: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC

Yes.

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> Hi Jamie,

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> See attached,

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> Ok to file?

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> Cc: Brenda Tapia <brenda@faillacelaw.com>; Michael Faillace <michael@faillacelaw.com>; Matthew Brown <Matt@mlaborlaw.com>

> Subject: Re: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC

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> Yes please.

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>> I believe the date by which some of the defendants must respond to the Complaint is Monday, July 13. Pursuant to Judge Caproni's rules, please let me know today if you consent to a 45 day extension of time so that we will have time upon the expiration of the 21 days under FRCP Rule 11 to file a motion to dismiss based on the arbitration agreements.

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>> Subject: RE: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC

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>> Please see attached correspondence.

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>> Gennadiy/Michael,

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>> On March 26, 2020, I sent you the attached arbitration agreements for Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes. Nevertheless, you recently commenced an action in SDNY. If you do not immediately withdraw the SDNY action, we will move to dismiss the action and seek attorneys' fees related to the motion.

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>> From: Jamie Felsen

>> Sent: Thursday, March 26, 2020 11:28 AM

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>> Subject: RE: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC

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>> Gennaidiy,

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>> See attached arbitration agreements. If you will wait for us to get the wage and hour records and get info so that we can respond to your allegations before you decide if you want to file for arbitration, my client will enter into a tolling agreement.

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>> Subject: RE: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC

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>> Michael,

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>>

>> <letter stay.pdf>

Michael Faillace & Associates, P.C.

Employment and Litigation Attorneys

60 East 42nd Street, Suite 4510
New York, New York 10165

Telephone: (212) 317-1200
Facsimile: (212) 317-1620

gnaydenskiy@faillacelaw.com

November 5, 2020

Via ECF

Honorable Valerie E. Caproni
United States Courthouse
40 Foley Square,
New York, NY 10007

Re: Gonzalez et al v. Treadwell Park LLC et al
20-cv-4568-VEC

Your Honor:

We represent the Plaintiffs in the above titled matter. We write to advise Your Honor that Plaintiffs filed their arbitration on November 3, 2020.

We thank the Court for its time and attention to this matter.

Respectfully Submitted,

/s/ Gennadiy Naydenskiy
Gennadiy Naydenskiy

FILE ONLINE



AMERICAN ARBITRATION ASSOCIATION®

FILING CONFIRMATION - Please print a copy for your records.

AAA Case : 01-20-0015-5546

A case manager will be assigned to this case and will be in contact.

Basic Filing Information

Gennadiy Naydenskiy ; gnaydenskiy@faillacelaw.com ; 2123171200 ; arbitration ; Gennadiy Naydenskiy, on behalf of Abel Gonzalez Gonzalez .

Filing Fee Charged

\$300.00

Case filed on 3 November 2020 at 15:56 Eastern Time

This transaction has been approved.

FILE ONLINE



AMERICAN ARBITRATION ASSOCIATION®

FILING CONFIRMATION - Please print a copy for your records.

AAA Case : 01-20-0015-5549

A case manager will be assigned to this case and will be in contact.

Basic Filing Information

Gennadiy Naydenskiy ; gnaydenskiy@faillacelaw.com ; 2123171200 ; arbitration ; Gennadiy Naydenskiy, on behalf of Olman Eliseo Velasquez Fuentes.

Filing Fee Charged

\$300.00

Case filed on 3 November 2020 at 16:04 Eastern Time

This transaction has been approved.

EXHIBIT D

From: Jamie Felsen <jamiefelsen@mlaborlaw.com>
Sent: Thursday, November 5, 2020 5:26 PM
To: Gennadiy Naydenskiy
Cc: Matthew Brown
Subject: RE: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC

You filed at AAA, but the arbitration agreements require arbitration to be conducted at ADR Systems of America, LLC.

Jamie S. Felsen - Partner
Milman Labuda Law Group PLLC
3000 Marcus Ave., Suite 3W8
Lake Success, NY 11042
Telephone (516) 328-8899
Fax (516) 328-0082

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From: Gennadiy Naydenskiy <gnaydenskiy@faillacelaw.com>
Sent: Thursday, November 5, 2020 5:21 PM
To: Jamie Felsen <jamiefelsen@mlaborlaw.com>
Cc: Matthew Brown <Matt@mlaborlaw.com>
Subject: RE: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC

See attached, ok to file the letter?

Will you accept service for the Defendants?

Best regards,

Gennadiy Naydenskiy, Esq.
MICHAEL FAILLACE & ASSOCIATES, P.C.
60 East 42nd Street, Suite 4510
New York, NY 10165
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Cc: Matthew Brown <Matt@mllaborlaw.com>
Subject: RE: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC

I haven't seen the arbitration that you filed so I can't jointly say that you filed it.

Jamie S. Felsen - Partner
Milman Labuda Law Group PLLC
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Hi Jamie,

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Best regards,

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Subject: Re: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC

Yes.

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>> Please send us the arbitration agreements so that we can file for individual arbitrations. Please send all your communications and documents to Gennadiy nadjinski, the attorney in my office who is handling this case. Please copy me on all communications.

>> From: Jamie Felsen <mailto:jamiefelsen@mlaborlaw.com>
>> Sent: Thursday, March 26, 2020 10:05 AM
>> To: Michael Faillace <mailto:michael@faillacelaw.com>
>> Subject: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC

>>
>> Michael,
>>
>> I hope you are healthy during this crazy time. I represent Treadwell Park LLC in the above-referenced matter. Your clients are bound by arbitration agreements that require all disputes to be arbitrated at ADR Systems of America LLC. We are working on getting wage and hour records but this process will be delayed since the restaurant is presently closed due to COVID-19. Once I have the records and additional information, I will reach out to you to discuss.

>>

>> _____

>> Jamie S. Felsen - Partner

>> Milman Labuda Law Group PLLC

>> 3000 Marcus Ave., Suite 3W8

>> Lake Success, NY 11042

>> Telephone (516) 328-8899

>> Fax (516) 328-0082

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>>

> <letter stay.pdf>

EXHIBIT E

From: Gennadiy Naydenskiy <gnaydenskiy@faillacelaw.com>
Sent: Thursday, November 5, 2020 5:48 PM
To: Jamie Felsen
Cc: Matthew Brown
Subject: Re: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC

I'll check. In the meantime, ok to file the letter? I don't want to upset the judge.

> On Nov 5, 2020, at 5:26 PM, Jamie Felsen <jamiefelsen@mlaborlaw.com> wrote:

>

> You filed at AAA, but the arbitration agreements require arbitration to be conducted at ADR Systems of America, LLC.

>

>

> _____
> Jamie S. Felsen - Partner

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> Sent: Thursday, November 5, 2020 5:21 PM

> To: Jamie Felsen <jamiefelsen@mlaborlaw.com>

> Cc: Matthew Brown <Matt@mlaborlaw.com>

> Subject: RE: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC

>

> See attached, ok to file the letter?

>

> Will you accept service for the Defendants?

>

> Best regards,

>

> Gennadiy Naydenskiy, Esq.

> MICHAEL FAILLACE & ASSOCIATES, P.C.

> 60 East 42nd Street, Suite 4510

> New York, NY 10165

> 212-317-1200 (office)

> 212-317-1620 (fax)

> <https://www.faillacelaw.com/>

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> From: Jamie Felsen <jamiefelsen@mllaborlaw.com>

> Sent: Thursday, November 5, 2020 4:12 PM

> To: Gennadiy Naydenskiy <gnaydenskiy@faillacelaw.com>

> Cc: Matthew Brown <Matt@mllaborlaw.com>

> Subject: RE: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC

>

> I haven't seen the arbitration that you filed so I can't jointly say that you filed it.

>

>

> _____
> Jamie S. Felsen - Partner

> Milman Labuda Law Group PLLC

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> Sent: Thursday, November 5, 2020 4:02 PM

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> Cc: Matthew Brown <Matt@mllaborlaw.com>

> Subject: RE: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC

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> Hi Jamie,

>

> I hope you are well. See attached. Ok to file?

>

> Best regards,

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> Gennadiy Naydenskiy, Esq.

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> Sent: Tuesday, August 4, 2020 7:57 AM
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> Cc: Matthew Brown <Matt@mllaborlaw.com>
> Subject: Re: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC

> Yes.
>
>> On Aug 4, 2020, at 4:00 AM, Gennadiy Naydenskiy <gnaydenskiy@faillacelaw.com> wrote:

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>> Hi Jamie,
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>> See attached,
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>>>> Subject: RE: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC

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>>>> Gennaidy,
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>>>> I believe the date by which some of the defendants must respond to the Complaint is Monday, July 13. Pursuant to Judge Caproni's rules, please let me know today if you consent to a 45 day extension of time so that we will have time upon the expiration of the 21 days under FRCP Rule 11 to file a motion to dismiss based on the arbitration agreements.

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>>> Subject: RE: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC
>>>

>>> Gennadiy/Michael,
>>>

>>> On March 26, 2020, I sent you the attached arbitration agreements for Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes. Nevertheless, you recently commenced an action in SDNY. If you do not immediately withdraw the SDNY action, we will move to dismiss the action and seek attorneys' fees related to the motion.

>>>
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>>> Jamie S. Felsen - Partner
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>>> Sent: Thursday, March 26, 2020 11:28 AM
>>> To: Gennadiy Naydenskiy <mailto:gnyaydenskiy@faillacelaw.com>
>>> Cc: Brenda Tapia <mailto:brenda@faillacelaw.com>; Michael Faillace <mailto:michael@faillacelaw.com>
>>> Subject: RE: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC
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>>> Gennaidiy,

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>>> See attached arbitration agreements. If you will wait for us to get the wage and hour records and get info so that we can respond to your allegations before you decide if you want to file for arbitration, my client will enter into a tolling agreement.

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>>> From: Michael Faillace <mailto:michael@faillacelaw.com>
>>> Sent: Thursday, March 26, 2020 10:36 AM
>>> To: Jamie Felsen <mailto:jamiefelsen@mllaborlaw.com>
>>> Cc: Gennadiy Naydenskiy <mailto:gnyaydenskiy@faillacelaw.com>; Brenda Tapia <mailto:brenda@faillacelaw.com>
>>> Subject: RE: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC
>>>

>>> Hello Jamie,

>>> Please send us the arbitration agreements so that we can file for individual arbitrations. Please send all your communications and documents to Gennadiy najdinski, the attorney in my office who is handling this case. Please copy me on all communications.

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>>>

>> <letter stay.pdf>

EXHIBIT F

[REDACTED]

From: Jamie Felsen <jamiefelsen@mlaborlaw.com>
Sent: Thursday, November 5, 2020 6:07 PM
To: Gennadiy Naydenskiy
Cc: Matthew Brown
Subject: Re: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC

Please remove reference to a joint letter. You can tell the court whatever you want on your own.

> On Nov 5, 2020, at 5:48 PM, Gennadiy Naydenskiy <gnaydenskiy@faillacelaw.com> wrote:

>

> I'll check. In the meantime, ok to file the letter? I don't want to upset the judge.

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>> Sent: Thursday, November 5, 2020 5:21 PM

>> To: Jamie Felsen <jamiefelsen@mlaborlaw.com>

>> Cc: Matthew Brown <Matt@mlaborlaw.com>

>> Subject: RE: Abel Gonzalez Gonzalez and Olman Eliseo Velasquez Fuentes v. Treadwell Park LLC

>>

>> See attached, ok to file the letter?

>>

>> Will you accept service for the Defendants?

>>

>> Best regards,

>>

>> Gennadiy Naydenskiy, Esq.

>> MICHAEL FAILLACE & ASSOCIATES, P.C.

>> 60 East 42nd Street, Suite 4510

>> New York, NY 10165

>> 212-317-1200 (office)

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>> I haven't seen the arbitration that you filed so I can't jointly say that you filed it.
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>> I hope you are well. See attached. Ok to file?
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>> Yes.

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>>> Yes please.

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>>>> Michael,
>>>>
>>>> I hope you are healthy during this crazy time. I represent Treadwell Park LLC in the above-referenced matter. Your clients are bound by arbitration agreements that require all disputes to be arbitrated at ADR Systems of America LLC. We are working on getting wage and hour records but this process will be delayed since the restaurant is presently closed due to COVID-19. Once I have the records and additional information, I will reach out to you to discuss.

>>>>
>>>> _____
>>>> Jamie S. Felsen - Partner
>>>> Milman Labuda Law Group PLLC
>>>> 3000 Marcus Ave., Suite 3W8
>>>> Lake Success, NY 11042
>>>> Telephone (516) 328-8899
>>>> Fax (516) 328-0082

>>>>
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>>>>
>>> <letter stay.pdf>

EXHIBIT G

From: Gennadiy Naydenskiy <gnaydenskiy@faillacelaw.com>
Sent: Friday, January 29, 2021 12:31 AM
To: Brenda Tapia
Subject: RE: treadwell

Hey, was this filed? We should.

Best regards,

Gennadiy Naydenskiy, Esq.

MICHAEL FAILLACE & ASSOCIATES, P.C.
60 East 42nd Street, Suite 4510
New York, NY 10165
212-317-1200 (office)
212-317-1620 (fax)
<https://www.faillacelaw.com/>

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From: Brenda Tapia <brenda@faillacelaw.com>
Sent: Thursday, December 3, 2020 3:03 PM
To: Gennadiy Naydenskiy <gnaydenskiy@faillacelaw.com>
Subject: RE: treadwell

Translation: " I understand that the employer will pay all the administrative or conference rates/expenses, that the arbitrator or ADR charges, except that I will solve to pay the first \$400 of whichever rate is solicited and associated with any arbitrator/arbitration"

ADR is AAA, American Arbitration Association. Is ADR systems of America different? If so , how do I remove it from AAA?

From: Gennadiy Naydenskiy <gnaydenskiy@faillacelaw.com>
Sent: Thursday, December 3, 2020 12:52 PM
To: Brenda Tapia <brenda@faillacelaw.com>
Subject: treadwell

Hey, what does this mean:

Entiendo que el Empleador pagará todas las tarifas administrativas o de audiencias que cobre el árbitro o ADR, excepto porque yo solventaré los primeros \$ 400,00 de cualquier tasa de solicitud asociada con cualquier arbitraje

we filed arbitration with the wrong company, we should file it with adr systems of America

Can you please fill in this form

<https://www.adrsystems.com/wp-content/uploads/2019/10/Stipulation-to-Arbitrate-at-ADR-Systems.pdf>

Best regards,

Gennadiy Naydenskiy, Esq.

MICHAEL FAILLACE & ASSOCIATES, P.C.

60 East 42nd Street, Suite 4510

New York, NY 10165

212-317-1200 (office)

212-317-1620 (fax)

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EXHIBIT H

From: Brenda Tapia <brenda@faillacelaw.com>
Sent: Friday, January 29, 2021 4:57 PM
To: Meghann Smith
Subject: RE: Arbitration Claim

Good Evening,

Thank you so much for your help, I received the paperwork. But where can I find the detailed statement of claim form?

Regards,
Brenda Tapia
Paralegal
Michael Faillace & Associates, P.C.
One Grand Central Place
60 East 42nd Suite 4510
New York, N.Y. 10165
Tel. (212) 317-1200
Fax. (212) 317-1620
brenda@faillacelaw.com

From: Meghann Smith <MSmith@adrsystems.com>
Sent: Friday, January 29, 2021 11:42 AM
To: Brenda Tapia <brenda@faillacelaw.com>
Subject: RE: Arbitration Claim

Brenda,

Please see the attached demand for arbitration form and the ADR Systems Commercial Arbitration Rules so you have them for the future. Please feel free to contact me with any questions.

Best,

Meghann



Meghann Smith, Esq. | Executive Director | Commercial & Family Law Division

20 North Clark Street, Floor 29, Chicago, IL 60602

Direct 312.960.2265 | Fax 312.960.2268 | Email msmith@adrsystems.com

Visit our website at www.adrsystems.com or take a [video tour](#)

Follow us on [LinkedIn](#)

Like us on [Facebook](#)

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From: Brenda Tapia [<mailto:brenda@faillacelaw.com>]

Sent: Friday, January 29, 2021 10:40 AM

To: Meghann Smith <MSmith@adrsystems.com>

Subject: Arbitration Claim

Regards,

Brenda Tapia

Paralegal

Michael Faillace & Associates, P.C.

One Grand Central Place

60 East 42nd Suite 4510

New York, N.Y. 10165

Tel. (212) 317-1200

Fax. (212) 317-1620

brenda@faillacelaw.com

EXHIBIT I

From: Brenda Tapia <brenda@faillacelaw.com>
Sent: Thursday, February 4, 2021 1:35 PM
To: Pedro Polanco
Cc: Gennadiy Naydenskiy
Subject: Treadwell Park Arbitration
Attachments: Commercial Demand for Arbitration and Instructions (00853260xB3A5A).pdf

Hi Pedro,

GN and I need to submit the case Treadwell Park to arbitration through a company called ADR Systems (See Attached). Part of the requirements is to submit an initial non-refundable \$350 administrative fee per party (we have two clients, so we will be needing two!). GN said to run this by you.

Regards,

Brenda Tapia

Paralegal

Michael Faillace & Associates, P.C.

One Grand Central Place

60 East 42nd Suite 4510

New York, N.Y. 10165

Tel. (212) 317-1200

Fax. (212) 317-1620

brenda@faillacelaw.com



Instructions for Submittal of Arbitration to ADR Systems

Demand for Arbitration Based on Pre-Dispute Provision

If you wish to proceed with an arbitration by executing and serving a Demand for Arbitration on the appropriate party, please submit the following items to ADR Systems:

- Two copies of the Demand for Arbitration and of the Detailed Statement of Claim
- Proof of Service of the Demand on the appropriate party (for example, a certified mail receipt signed by recipient, or a sworn statement of service by a non-party)
- Two copies of the entire contract containing the arbitration clause
- Initial non-refundable \$350.00 administrative fee per party (Each party may submit its own administrative fee. To expedite the commencement of the proceedings, one party may elect to submit all administrative fees. In lengthier, more complex cases additional fees may be assessed.)

Arbitration Based on Post-Dispute Fully Executed Arbitration Agreement, Oral Stipulation or Court Order Compelling Arbitration

Whether or not a certain arbitrator has been designated, if the parties have agreed to arbitrate at ADR Systems, or the court has ordered the parties to arbitrate through ADR Systems, please submit the following items:

- Two copies of the Demand for Arbitration and of the Detailed Statement of Claim
- Two copies of the executed Arbitration Agreement or Court Order appointing arbitrator/ADR Systems (If necessary, please contact ADR Systems to obtain a Stipulation for Arbitration form, or [download it from our website.](#))
- Initial non-refundable \$350.00 administrative fee per party (Each party may submit its own administrative fee. To expedite the commencement of the proceedings, one party may elect to submit all administrative fees. In lengthier, more complex cases additional administrative fees may be assessed.)

Please submit all items to ADR Systems at 20 N Clark St. 29th Floor, Chicago, IL 60602.

Once the above items are received, ADR Systems will contact all parties to commence the arbitration.

Demand for Arbitration

Claimant _____

Business Name/Address _____

City _____ State _____ Zip _____

Phone _____ Fax _____ Email _____

Representative/Attorney _____

Firm Name/ Address _____

City _____ State _____ Zip _____

Phone _____ Fax _____ Email _____

Respondent _____

Business Name/ Address _____

City _____ State _____ Zip _____

Phone _____ Fax _____ Email _____

Representative/Attorney _____

Firm Name/ Address _____

City _____ State _____ Zip _____

Phone _____ Fax _____ Email _____

Statement of Claim (Claimant must attach a detailed statement of the Claimants' claim including all facts to be proved, the remedy sought, and any claimed damages.)

Amount in Controversy (if applicable) _____

List Appropriate Qualifications for Arbitrator _____

Hearing Location _____

Applicable Rules_____

Estimated Time Required for Hearing_____

Response to Demand for Arbitration: Respondent may file a response and counterclaim (if applicable) to this claim according to the applicable arbitration rules. Send the response and counterclaim to the Claimant's counsel at their address above, and a copy to ADR Systems with proof of service.

Signature_____ **Date**_____
(Claimant or Representative)

Print Name_____

EXHIBIT J

From: Gennadiy Naydenskiy <gnaydenskiy@faillacelaw.com>
Sent: Wednesday, February 10, 2021 11:11 PM
To: Brenda Tapia
Subject: treadwell

Hey were the arbitrations filed?

Best regards,

Gennadiy Naydenskiy, Esq.

MICHAEL FAILLACE & ASSOCIATES, P.C.

60 East 42nd Street, Suite 4510

New York, NY 10165

212-317-1200 (office)

212-317-1620 (fax)

<https://www.faillacelaw.com/>

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EXHIBIT K

From: Brenda Tapia <brenda@faillacelaw.com>
Sent: Thursday, February 11, 2021 9:40 AM
To: Gennadiy Naydenskiy
Subject: RE: treadwell

Hey,
Not yet. I emailed Pedro asking for the initial non-refundable \$350 administrative fee per party (we have two clients, so we will be needing two!). But he hasn't gotten back with me yet.

From: Gennadiy Naydenskiy <gnaydenskiy@faillacelaw.com>
Sent: Wednesday, February 10, 2021 11:11 PM
To: Brenda Tapia <brenda@faillacelaw.com>
Subject: treadwell

Hey were the arbitrations filed?

Best regards,

Gennadiy Naydenskiy, Esq.

MICHAEL FAILLACE & ASSOCIATES, P.C.
60 East 42nd Street, Suite 4510
New York, NY 10165
212-317-1200 (office)
212-317-1620 (fax)
<https://www.faillacelaw.com/>

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EXHIBIT L

From: Pedro Polanco <pedro@faillacelaw.com>
Sent: Tuesday, February 16, 2021 4:37 PM
To: Brenda Tapia
Cc: Gennadiy Naydenskiy
Subject: RE: Treadwell Park Arbitration

Thank you, checks are on your desk

Pedro Polanco (Legal Assistant / Office Manager)
Michael Faillace & Associates, P.C.
60 East 42nd Street, Suite 4510
New York, New York 10165
(212) 317-1200 (phone)
(212) 317-1620 (fax)

From: Brenda Tapia <brenda@faillacelaw.com>
Sent: Tuesday, February 16, 2021 4:36 PM
To: Pedro Polanco <pedro@faillacelaw.com>
Cc: Gennadiy Naydenskiy <gnaydenskiy@faillacelaw.com>
Subject: FW: Treadwell Park Arbitration

Hi Pedro,

GN and I need to submit the case Treadwell Park to arbitration through a company called ADR Systems (See Attached). Part of the requirements is to submit an initial non-refundable \$350 administrative fee per party (we have two clients, so we will be needing two!). GN said to run this by you.

Regards,
Brenda Tapia
Paralegal
Michael Faillace & Associates, P.C.
One Grand Central Place
60 East 42nd Suite 4510
New York, N.Y. 10165
Tel. (212) 317-1200
Fax. (212) 317-1620
brenda@faillacelaw.com

EXHIBIT M

Treadwell Park : Arbitration

stamps
endicia

Shipping Label Receipt

Tracking Number:

9405 5116 9900 0765 5697 84

PRIORITY MAIL 2-DAY with Tracking *

Electronic Service Fee: \$0.00

Total Postage and Fees: \$7.88

Weight: 0 lbs 13 oz

Print Date: 02/17/2021

Mailing Date: 02/17/2021

From:

Michael Faillace & Associates

One Grand Central Place

Michael Faillace & Associates, P.C.

60 East 42nd St Rm 4510

New York NY 10165-0012

To:

ADR Systems

20 N Clark St. Floor 29

Chicago IL 60602-5096

USPS
Postmark
Here

*Regular PRIORITY MAIL 2-DAY Service postage rates apply. There is no fee for Tracking service on PRIORITY MAIL 2-DAY services with use of this electronic shipping label. Postmark required if fee refund requested. Delivery information is not available by phone for the electronic option.

Instructions:

1. Adhere shipping label to package with tape or glue - DO NOT TAPE OVER BARCODE. Be sure all edges are secured. Self-adhesive label is recommended.
2. Place the label so it does not wrap around the edge of the package.
3. This package may be deposited in any collection box, handed to your mail carrier, or presented to a clerk at your local Post Office.
4. Each confirmation number is unique and can be used only once - DO NOT PHOTOCOPY.
5. You must mail this package on the "mail date" that is specified on this label.

EXHIBIT N

Gennadiy Naydenskiy

Subject: FW: ADR Systems -Arbitration Demand Received
Attachments: 1st Letter, ADR Systems File # 51407CAMG (00963002xB3A5A).pdf; 1st Letter, ADR Systems File # 51408CAMG (00963003xB3A5A).pdf

Best regards,

Gennadiy Naydenskiy, Esq.

MICHAEL FAILLACE & ASSOCIATES, P.C.
60 East 42nd Street, Suite 4510
New York, NY 10165
212-317-1200 (office)
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From: Meghann Smith <MSmith@adrsystems.com>
Sent: Tuesday, February 23, 2021 3:38 PM
To: Jamie Felsen <jamiefelsen@mllaborlaw.com>; Gennadiy Naydenskiy <gnaydenskiy@faillacelaw.com>
Cc: Michelle Teggelaar <mteggelaar@adrsystems.com>
Subject: ADR Systems -Arbitration Demand Received

Counsel,

Please see the attached 2 letters for ADR Systems File Numbers 51407CAMG and 51408CAMG.

Thank you,



Meghann Smith, Esq. | Executive Director | Commercial & Family Law Division
20 North Clark Street, Floor 29, Chicago, IL 60602
Direct 312.960.2265 | Fax 312.960.2268 | Email msmith@adrsystems.com

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